

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DEVIN HALL,

Defendant.

CR-10-49-GF-BMM

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on January 4, 2019. (Doc. 103.) Neither party filed objections. The Court will review Judge Johnston's Findings and Recommendations for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on January 3, 2019. (Doc. 99.) The United States accused Defendant Devin Hall of violating his conditions of supervised release by failing to report to the United States Probation Office within 72 hours of his release from custody. (Doc. 96 at 2.) Hall admitted that he violated his supervised release condition. (Doc. 103 at 2.)

Judge Johnston recommended that the Court revoke Hall's supervised release and commit Hall to the custody of the Bureau of Prisons five months, followed by no period of supervised release. (Doc. 103 at 3.) Judge Johnston recommended that Hall serve his term of custody at the Bureau of Prisons facility in Butner, North Carolina. (Doc. 103 at 4.)

The Court finds no clear error in Judge Johnston's Findings and Recommendations. Hall's violation represents a serious breach of the Court's trust. A custodial sentence of five months followed by no term of supervised release is a sufficient, but not greater than necessary sentence.

IT IS ORDERED that Judge Johnston's Findings and Recommendations (Doc. 103) is ADOPTED IN FULL.

IT IS FURTHER ORDERED that Defendant Devin Hall is committed to the custody of the United States Bureau of Prisons for a term of imprisonment of five months, with no term of supervised release to follow. The Court recommends that Devin Hall serve his term of imprisonment at the Bureau of Prisons facility in Butner, North Carolina.

DATED this 24th day of January, 2019.



Brian Morris
United States District Court Judge